

UNCLASSIFIED

CONFIDENTIAL

RELEASED IN PART  
B1, 1.4(B), 1.4(D)PAGE 01 GENEVA 00816 01 OF 04 281558Z  
ACTION IO-16

INFO	LOG-00	AF-01	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	OASY-00	DODE-00	EAP-01	EB-01	EUR-01	HA-09	H-01
	TEDE-00	INR-00	L-01	ADS-00	NEA-01	NSAE-00	NSCE-00
	OIC-02	PA-01	PRS-01	P-01	SIL-00	SP-00	SR-00
	SSO-00	STR-01	TRSE-00	USIE-00	SA-01	RPE-01	SNIS-00
	NISC-02	/046W					

-----1F3662 281605Z /38

P 281556Z JAN 94  
 FM USMISSION GENEVA  
 TO SECSTATE WASHDC PRIORITY 3748  
 INFO AMEMBASSY BAKU  
 AMEMBASSY YEREVAN  
 AMEMBASSY NDJAMENA  
 AMEMBASSY KIGALI  
 AMEMBASSY BONN  
 AMEMBASSY TALLINN  
 AMEMBASSY KUWAIT  
 HUMAN COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 04 GENEVA 00816

E.O. 12356: DECL:OADR  
 TAGS: PHUM, UNHRC-1, GE, EN, KU, VM, SO, AM, AZ, CD, RW  
 SUBJECT: 50TH HUMAN RIGHTS COMMISSION: WORKING GROUP  
 - DECISIONS ON 1503 CASES

REF: GENEVA 0573, B) KUWAIT 0473  
 CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 00816 01 OF 04 281558Z

1. CONFIDENTIAL -- ENTIRE TEXT.

-----  
SUMMARY  
-----

2. AFTER TWO FULL DAYS OF MEETINGS, THE HUMAN RIGHTS  
 COMMISSION'S WORKING GROUP ON SITUATIONS COMPLETED ITS  
 EXAMINATION OF THE NINE COUNTRIES BEING CONSIDERED UNDER  
 THE "CONFIDENTIAL" 1503 PROCEDURE.

B1

UNCLASSIFIED

UNCLASSIFIED

[REDACTED] THE WORKING GROUP WILL RECOMMEND THAT THE CASES OF ARMENIA, AZERBAIJAN, CHAD, AND RWANDA SHOULD BE KEPT UNDER REVIEW BY THE COMMISSION, WITH APPOINTMENT OF AN INDEPENDENT EXPERT TO MONITOR THE SITUATION IN CHAD AND REPORT TO NEXT YEAR'S SESSION. THE GROUP WILL RECOMMEND THAT CONSIDERATION OF ESTONIA, KUWAIT, GERMANY, SOMALIA, AND VIETNAM SHOULD BE DISCONTINUED; THE FULL COMMISSION WILL CONSIDER THESE RECOMMENDATIONS IN CLOSED SESSION AROUND FEBRUARY 22. FOLLOWING ARE KEY POINTS MADE [REDACTED] IN DESCRIBING THE PARTICIPANTS AND THE DECISIONS THEY MADE ON EACH COUNTRY. END SUMMARY.

B1

B1

-----  
WORKING GROUP MEMBERS  
-----

3. THE GROUP ELECTED AMB. SATISH CHANDRA, PERMREP OF INDIA, AS ITS CHAIRMAN/RAPPOREUR. [REDACTED] CHANDRA WAS DOING HIS BEST TO KEEP THE VOLUME DOWN DURING THE DISCUSSIONS, SO THE GROUP COULD ADDRESS THE CASES IN A RESPONSIBLE MANNER. HE HAD OBVIOUSLY READ ALL THE CASE

B1

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 GENEVA 00816 01 OF 04 281558Z  
DOSSIERS VERY CAREFULLY AND KNEW WHAT WAS AT ISSUE. HIS GOAL WAS TO SEEK CONSENSUS ON ALL CASES IF AT ALL POSSIBLE. AS A MEMBER OF THE SUBCOMMISSION, ROMANIA'S ION MAXIM BRINGS SUBSTANTIAL EXPERIENCE IN 1503 ISSUES, AND HE PLAYS UPON THIS KNOWLEDGE WITH SKILL. THE OTHER MEMBERS OF THE GROUP TURN TO HIM AS A REFERENCE SOURCE. COSTA RICAN DCM JORGE RHENAN SEGURA ALWAYS SPEAK LAST DURING THE DISCUSSIONS, AND HE TRIES TO CAPTURE THE FLAVOR OF THE GROUP IN HIS REMARKS. [REDACTED]

B1

[REDACTED] CHARACTERIZED JACOB MOLLER, CHIEF OF THE COMMUNICATIONS BRANCH OF THE HUMAN RIGHTS CENTER, AS EXTREMELY KNOWLEDGEABLE AND HELPFUL IN THE SUPPORT HE PROVIDES TO THE GROUP.

-----  
METHODS OF WORK  
-----

4. [REDACTED] THE GROUP WENT ABOUT ITS BUSINESS IN A SERIOUS MANNER. EACH MEMBER MADE FREQUENT REFERENCE TO THE LANGUAGE OF THE ECOSOC RESOLUTION ESTABLISHING THE 1503 PROCEDURE, IN PARTICULAR THE NEED TO CONSIDER WHETHER

B1

UNCLASSIFIED

UNCLASSIFIED

A FILE SERVED TO DEMONSTRATE A CONSISTENT PATTERN OF GROSS VIOLATIONS OF HUMAN RIGHTS BY A COUNTRY. EACH OF THE DIFFERENT CASES AGAINST A COUNTRY WAS CONSIDERED AND DECIDED SEPARATELY. IN PARTICULAR, THE CASES BROUGHT BY EAST GERMAN TEACHERS, AND BY GERMAN PRISONERS WHO'D COMPLAINED THEY WERE GETTING LESS THAN THE MINIMUM WAGE, WERE QUICKLY DISMISSED, WHILE THE MORE SERIOUS ACCUSATIONS

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 GENEVA 00816 01 OF 04 281558Z  
OF XNOPHOBIA IN GERMANY WERE ANALYZED WITH MUCH GREATER ATTENTION. ALL OF THE MEMBERS WERE FAMILIAR WITH THE FILES INVOLVED. THERE HAD BEEN SOME DISCUSSION AT THE OPENING OF THEIR MEETING WHETHER THE WORKING GROUP COULD RECOMMEND TO THE COMMISSION THAT A COUNTRY BE BROUGHT INTO PUBLIC CONSIDERATION UNDER ITEM 12, OR WHETHER THE GROUP WAS LIMITED TO THE TRADITIONAL COURSES (RECOMMENDING A CASE BE DISCONTINUED, KEPT OVER FOR REVIEW NEXT YEAR, OR KEPT OVER WITH APPOINTMENT OF AN INDEPENDENT EXPERT.) THE GROUP DECIDED IT HAD THE AUTHORITY TO MAKE SUCH A RECOMMENDATION TO THE COMMISSION, RECOGNIZING THAT THE COMMISSION WOULD HAVE TO VOTE ON WHAT COURSE TO TAKE IN

CONFIDENTIAL

NNNN

CONFIDENTIAL

PAGE 01 GENEVA 00816 02 OF 04 281559Z  
ACTION IO-16

INFO	LOG-00	AF-01	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	OASY-00	DODE-00	EAP-01	EB-01	EUR-01	HA-09	H-01
	TEDE-00	INR-00	L-01	ADS-00	NEA-01	NSAE-00	NSCE-00
	OIC-02	PA-01	PRS-01	P-01	SIL-00	SP-00	SR-00
	SSO-00	STR-01	TRSE-00	USIE-00	SA-01	RPE-01	SNIS-00

UNCLASSIFIED

UNCLASSIFIED

NISC-02 /046W

-----1F368C 281606Z /38

P 281556Z JAN 94  
FM USMISSION GENEVA  
TO SECSTATE WASHDC PRIORITY 3749  
INFO AMEMBASSY BAKU  
AMEMBASSY YEREVAN  
AMEMBASSY NDJAMENA  
AMEMBASSY KIGALI  
AMEMBASSY BONN  
AMEMBASSY TALLINN  
AMEMBASSY KUWAIT  
HUMAN COLLECTIVE

C O N F I D E N T I A L SECTION 02 OF 04 GENEVA 00816

E.O. 12356: DECL:OADR  
TAGS: PHUM, UNHRC-1, GE, EN, KU, VM, SO, AM, AZ, CD, RW  
SUBJECT: 50TH HUMAN RIGHTS COMMISSION: WORKING GROUP

ANY CASE. CHAIRMAN CHANDRA INSISTED THAT DECISIONS BE  
TAKEN BY CONSENSUS ON ALL CASES; ALTHOUGH THERE MAY HAVE  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 00816 02 OF 04 281559Z  
BEEN DIFFERENCES AMONG THE MEMBERS, NOBODY FORCED ANYTHING  
TO A VOTE.

-----  
ARMENIA VS. AZERBAIJAN  
-----

5. THESE TWO CASES WERE CONSIDERED TOGETHER, SINCE THEY  
ARE OBVIOUSLY OPPOSIDES OF THE SAME COIN. THE GROUP  
UNDERSTOOD THAT IT INVOLVES AN OUTRIGHT WAR, A SITUATION  
WHERE GOVERNMENTS OBVIOUSLY PAY LESS HEED TO HUMAN RIGHTS  
ISSUES. THEY AGREED TO KEEP THE SITUATIONS IN BOTH  
COUNTRIES UNDER REVIEW, AND WILL INCLUDE LANGUAGE  
RECOMMENDING STRONGLY THAT THE GOVERNMENTS ABIDE BY THEIR  
INTERNATIONAL COMMITMENTS ON HUMAN RIGHTS. IN ADDITION,  
THE UN SECRETARY GENERAL WILL BE ASKED TO AVAIL HIMSELF OF  
THE FINDINGS AND RECOMMENDATIONS OF APPROPRIATE CSCE  
MECHANISMS. [REDACTED] THE WORKING GROUP HAD  
CONSIDERED BUT REJECTED THE IDEA OF HAVING AN INDEPENDENT  
EXPERT FOR THESE TWO COUNTRIES.)

B1

UNCLASSIFIED

UNCLASSIFIED

CHAD

6. [REDACTED]

B1

[REDACTED] THE WORKING GROUP WAS ALSO  
CONCERNED OVER THE "INSUFFICIENT ANSWERS" WHICH HAD BEEN  
PROVIDED BY THE GOVERNMENT IN NDJAMENA, AND THEIR

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 GENEVA 00816 02 OF 04 281559Z  
RECOMMENDATION WILL SO STATE. THEY WILL RECOMMEND THE  
APPOINTMENT OF AN INDEPENDENT EXPERT TO MONITOR THE  
SITUATION IN CHAD, AND WILL SUGGEST THE GOC CONSIDER  
AVAILING ITSELF OF THE UN'S PROGRAM OF ADVISORY SERVICES  
AND TECHNICAL ASSISTANCE IN THE FIELD OF HUMAN RIGHTS.

-----  
ESTONIA  
-----

7. THE GROUP "POLISHED OFF ESTONIA" IN BARELY 15 MINUTES,  
[REDACTED] THE GOVERNMENT REPLY WAS SHORT BUT VERY  
CLEAR, SAYING ESTABLISHMENT OF CITIZENSHIP WAS ENTIRELY  
THEIR PREROGATIVE. ROMANIA'S REPRESENTATIVE HAD DISMISSED  
THE CASE AS INVOLVING ONLY "AN IMPERIAL MINORITY." ALL  
AGREED THAT ESTONIA'S CITIZENSHIP LAW WAS NOT A QUESTION  
OF HUMAN RIGHTS; OTHER INTERNATIONAL FORA EXIST IN WHICH  
TO ADDRESS THE PROBLEM, SUCH AS THE WORLD COURT OR THE  
INTERNATIONAL LAW COMMISSION.

B1

-----  
GERMANY  
-----

8. TAKING THE COUNTRIES IN ALPHABETICAL ORDER, THE  
WORKING GROUP WAS ABLE TO BEGIN CONSIDERATION OF GERMANY  
BEFORE LUNCH ON ITS FIRST DAY OF DELIBERATIONS. WHEN THE  
CHAIRMAN STARTED WITH A WELL-PONDERED AND POSITIVE  
ARGUMENT, WHICH WAS ECHOED BY THE ROMANIAN, [REDACTED]

B1

[REDACTED] MAXIM,  
RHENAN SEGURA, AND CHANDRA ALLSAID CONSIDERATION OF  
GERMANY SHOULD BE DISCONTNUED. [REDACTED]

B1

CONFIDENTIAL

UNCLASSIFIED

UNCLASSIFIED

CONFIDENTIAL

PAGE 04 GENEVA 00816 02 OF 04 281559Z

[REDACTED]

HE SHOWED NO INCLINATION TO LISTEN TO THE ARGUMENT (MADE IN THE FRG WRITTEN SUBMISSION AND ORALLY BY MARTIUS) THAT ANY VIOLENCE AGAINST FOREIGNERS WAS NOT GOVERNMENT ACTION BUT IN FACT WAS CRIMINAL ACTIVITY WHICH WAS BEING VIGOROUSLY PURSUED BY THE GOVERNMENT. IN PARTICULAR, [REDACTED] MADE THE POINT THAT SINCE GERMANY WAS A HIGHLY DEVELOPED COUNTRY, IT SHOULD BE HELD TO HIGHER STANDARDS OF HUMAN RIGHTS PROTECTION THAN OTHER, LESSER-DEVELOPED STATES. SINCE IT WAS OBVIOUS CONSENSUS COULD NOT BE REACHED AT THAT POINT, THE CHAIRMAN PROPOSED THAT THE ISSUE BE PUT ASIDE "FOR FURTHER REFLECTION." WHEN THE GROUP RETURNED TO THE GERMAN FILES

B1

B1

CONFIDENTIAL

NNNN

CONFIDENTIAL

PAGE 01 GENEVA 00816 03 OF 04 281559Z  
ACTION IO-16

INFO	LOG-00	AF-01	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	OASY-00	DODE-00	EAP-01	EB-01	EUR-01	HA-09	H-01
	TEDE-00	INR-00	L-01	ADS-00	NEA-01	NSAE-00	NSCE-00
	OIC-02	PA-01	PRS-01	P-01	SIL-00	SP-00	SR-00
	SSO-00	STR-01	TRSE-00	USIE-00	SA-01	RPE-01	SNIS-00
	NISC-02	/046W					

-----1F36AB 281607Z /38

P 281556Z JAN 94  
FM USMISSION GENEVA  
TO SECSTATE WASHDC PRIORITY 3750  
INFO AMEMBASSY BAKU  
AMEMBASSY YEREVAN  
AMEMBASSY NDJAMENA

UNCLASSIFIED

UNCLASSIFIED

AMEMBASSY KIGALI  
AMEMBASSY BONN  
AMEMBASSY TALLINN  
AMEMBASSY KUWAIT  
HUMAN COLLECTIVE

C O N F I D E N T I A L SECTION 03 OF 04 GENEVA 00816

E.O. 12356: DECL:OADR

TAGS: PHUM, UNHRC-1, GE, EN, KU, VM, SO, AM, AZ, CD, RW  
SUBJECT: 50TH HUMAN RIGHTS COMMISSION: WORKING GROUP

ON WEDNESDAY MORNING, [ ] ANNOUNCED THAT HE WAS  
WITHDRAWING HIS EARLIER RESERVATIONS, AND THE GROUP  
CONFIDENTIAL

B1

CONFIDENTIAL

PAGE 02 GENEVA 00816 03 OF 04 281559Z  
ACHIEVED CONSENSUS TO DROP THE FRG FROM FURTHER  
CONSIDERATION. (NOTE COMMENT BELOW.)

-----  
KUWAIT  
-----

9. [ ] BOTH THE  
ROMANIAN MEMBER AND THE INDIAN CHAIRMAN MADE STRONG  
STATEMENTS RECOMMENDING KUWAIT BE DROPPED FROM FURTHER  
CONSIDERATION. [ ]

B1

[ ] AMB.

B1

CHANDRA HAD POINTED OUT THAT THE VIOLATIONS OF RIGHTS  
WHICH HAD BEEN REPORTED IN KUWAIT WERE NOT LARGE-SCALE,  
NOR WERE THEY STATE-MADE. [ ]

B1

[ ] HAD BOTH COMMENTED THAT THERE IS INDEED EVIDENCE  
OF WIDESPREAD VIOLENCE AGAINST FOREIGNERS IN KUWAIT, AND  
HAD RECOMMENDED THAT AT A MINIMUM THE GROUP'S  
RECOMMENDATION SHOULD INCLUDE SOME STRONG LANGUAGE ON THE  
ISSUE. [ ] IN THE END IT PROVED IMPOSSIBLE  
TO ASK FOR THE FILE TO BE CARRIED OVER TO THE NEXT  
SESSION, SO THE GROUP HAD AGREED THAT IT SHOULD BE DROPPED  
FROM FURTHER CONSIDERATION.

B1

B1

-----  
RWANDA  
-----

10. THERE HAD BEEN NO REPLY FROM THE GOVERNMENT, AND THE  
GROUP WAS AGREED FROM THE OUTSET TO KEEP RWANDA UNDER  
REVIEW FOR ANOTHER YEAR. THE GROUP THEN CONSIDERED

UNCLASSIFIED

UNCLASSIFIED

WHETHER TO ASK FOR APPOINTMENT OF AN INDEPENDENT EXPERT TO  
REVIEW RWANDA'S PERFORMANCE, WHICH LED TO AN AGITATED  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 GENEVA 00816 03 OF 04 281559Z  
DEBATE [ ] OBJECTED THAT THE WORKING  
GROUP WAS "BEHAVING LIKE A COURT," BRINGING JUDGMENT ON A  
COUNTRY; OTHER MEMBERS REPLIED THAT THIS WAS PRECISELY  
THEIR ROLE (OR PERHAPS MORE LIKE A GRAND JURY, BRINGING IN  
AN INDICTMENT, WITH THE FULL COMMISSION SERVING AS THE  
COURT.) [ ] THEN ASSERTED THAT INDEPENDENT EXPERTS "HAVE  
FAILED ALL OVER AFRICA," SO WHAT WAS THE POINT OF TRYING  
TO APPOINT ANOTHER ONE? FINALLY, THE GROUP AGREED TO DROP  
THE PROPOSAL, BUT TO SEEK STRONG LANGUAGE IN THEIR  
RECOMMENDATION WHICH WOULD CALL ON THE GOR TO SEND A  
REPRESENTATIVE TO THE COMMISSION AND TO REPLY FULLY, IN A  
TIMELY MANNER, TO ANY FURTHER COMMUNICATIONS.

B1

B1

-----  
SOMALIA  
-----

11. THE GROUP AGREED WITH LITTLE DEBATE TO DROP THE 1503  
CASES AGAINST SOMALIA, WHICH HAD BEEN PENDING SINCE 1989.  
IT WAS FELT BY ALL THAT NO MATTER WHAT AUTHORITY  
EVENTUALLY EMERGES IN MOGADISHU, IT COULD NOT AND SHOULD  
NOT BE HELD ACCOUNTABLE FOR HUMAN RIGHTS VIOLATIONS WHICH  
OCCURRED FIVE OR MORE YEARS BEFORE IT TOOK POWER. (THE  
GROUP WAS ALSO AWARE OF LAST YEAR'S RESOLUTION  
RECOMMENDING THE PROVISION OF ADVISORY SERVICES AND  
TECHNICAL ASSISTANCE TO THE GOVERNMENT IN SOMALIA, WHICH  
CAME TO NAUGHT BECAUSE THERE WAS NO GOVERNMENT WITH WHICH  
TO WORK.)

-----  
VIETNAM  
-----

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 GENEVA 00816 03 OF 04 281559Z  
12. [ ] EXPRESSED GREAT SURPRISE THAT THREE OTHER  
MEMBERS OF THE WORKING GROUP BEGAN THEIR DISCUSSION OF  
VIETNAM WITH THE ASSUMPTION THAT THE CASES WOULD BE  
DROPPED STRAIGHTAWAY. THEIR POSITIONS WERE SO  
UNEQUIVOCAL, [ ] SAID, THAT HE HAD HARDLY ANY CHANCE

B1

B1

UNCLASSIFIED



UNCLASSIFIED

TO SPEAK HIS MIND. HE WANTED TO REMIND THE OTHERS THAT THE CHARGES AGAINST VIETNAM WERE SERIOUS AND THE CIRCUMSTANCES DIFFICULT TO JUDGE. THE OTHERS, LED BY CHAIRMAN CHANDRA, FELT THAT THE MERE FACT THAT THE GOVERNMENT HAD ANSWERED THE COMMUNICATION WAS A POSITIVE SIGN AND SHOULD BE ADEQUATE TO GET THEM OFF THE HOOK.

[ ] DESCRIBED THE GOVERNMENT DOCUMENTS AS "ARROGANT AND AGGRESSIVE.") [ ] CHOSE NOT TO BREAK CONSENSUS, SO THE GROUP AGREED TO DROP VIETNAM.

B1  
B1

CONFIDENTIAL

NNNN

CONFIDENTIAL

PAGE 01 GENEVA 00816 04 OF 04 281600Z  
ACTION IO-16

INFO	LOG-00	AF-01	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	OASY-00	DODE-00	EAP-01	EB-01	EUR-01	HA-09	H-01
	TEDE-00	INR-00	L-01	ADS-00	NEA-01	NSAE-00	NSCE-00
	OIC-02	PA-01	PRS-01	P-01	SIL-00	SP-00	SR-00
	SSO-00	STR-01	TRSE-00	USIE-00	SA-01	RPE-01	SNIS-00
	NISC-02	/046W					

-----1F36B7 281607Z /38

P 281556Z JAN 94  
FM USMISSION GENEVA  
TO SECSTATE WASHDC PRIORITY 3751  
INFO AMEMBASSY BAKU  
AMEMBASSY YEREVAN  
AMEMBASSY NDJAMENA  
AMEMBASSY KIGALI  
AMEMBASSY BONN  
AMEMBASSY TALLINN  
AMEMBASSY KUWAIT  
HUMAN COLLECTIVE

C O N F I D E N T I A L SECTION 04 OF 04 GENEVA 00816

UNCLASSIFIED

UNCLASSIFIED

E.O. 12356: DECL:OADR

TAGS: PHUM, UNHRC-1, GE, EN, KU, VM, SO, AM, AZ, CD, RW

SUBJECT: 50TH HUMAN RIGHTS COMMISSION: WORKING GROUP

-----  
COMMENT

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 00816 04 OF 04 281600Z

-----

13. THE WORKING GROUP'S DECISIONS SERVE AS  
RECOMMENDATIONS TO THE COMMISSION, WHICH WILL HAVE THE  
FINAL SAY ON HOW TO TREAT ALL NINE OF THESE COUNTRIES.  
THE (CLOSED SESSION) CONSIDERATION OF THESE CASES SHOULD  
BEGIN ON TUESDAY, FEBRUARY 22. USDEL WELCOMES GUIDANCE  
FROM THE DEPARTMENT ON ANY OR ALL OF THESE CASES.  
SPIEGEL

CONFIDENTIAL

NNNN

UNCLASSIFIED